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COMMENT:

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Attorney General John Ashcroft
c/o The U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

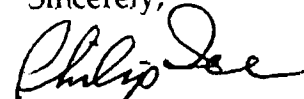
Mr. Ashcroft:

From the beginning of *US vs. Microsoft* three years ago, I have thought the suit against Microsoft has been an embarrassment to American business. Punishing Microsoft for alleged monopoly power was a ridiculous, unfair, and unequal act. In the United States, there are other companies and industries that have practiced for years, truly predatory pricing and market power. The airlines are a classic and glaring example. For years it has been common knowledge, that they have actively lowered prices in areas where smaller airlines are operating to crush competition, then raise their own prices after their competition is eliminated. By ignoring these and other examples, it is quite evident to me that the Department of Justice chose to pick on Microsoft for reasons other than actions that could be construed as predatory, or because of restraint of trade. I can see no equality of treatment or justice for all in this action.

The proposed settlement is a way for the IT industry and Microsoft to recover from three years of unnecessary government attack. For starters, it will prevent Microsoft retaliation if a computer manufacturer decides to install a competing company's software before shipment, and will allow the computer companies to configure the Windows operating system to promote non-Microsoft software products.

I hope that the Department of Justice sees the damage it has done to the IT industry and the economy by pursuing Microsoft. If the Department of Justice is honest with itself and its actions, it will see that a speedy end to the lawsuit is needed. I urge the Department of Justice to formalize the settlement and move onto more pressing matters.

Sincerely,


Philip Ice